

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

CRYSTAL NEAL,

Plaintiff,

v.

Civ. No. 18-696 GJF/KRS

H8H, LLC dba HARD 8 HAULING, LLC;
NATHAN CHAREST, owner/operator of
H8H LLC; WAL-MART
TRANSPORTATION, LLC,


Defendants.

ORDER TO SHOW CAUSE

On March 29, 2019, Defendant Walmart Transportation, LLC, moved for summary judgment, alleging that Plaintiff's complaint should be dismissed with prejudice for violating the statute of limitations. *See* ECF 68. Plaintiff's response was due April 12, 2019. *See* D.N.M.LR-Civ 7.4(a) (stating "[a] response must be served and filed within fourteen (14) calendar days after service of the motion"), *see also* D.N.M.LR-Civ 7.1(b) (failure to file a response "constitutes consent to [having this Court] grant the motion."). Now ten days after the deadline, Plaintiff has not filed a response, a notice of agreed-upon extension, or a request for additional time.

Consequently, Plaintiff is **ORDERED TO SHOW CAUSE** in writing no later than April 26, 2019, as to why this Court should not consider her to have consented to this Court granting Defendant Walmart's motion. Plaintiff is specifically cautioned that failure to show cause may result in the motion being granted and the complaint against Defendant Walmart being dismissed with prejudice.

SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE
Presiding by Consent